

# Gila County Superior Court

## PUBLIC INTEREST CASES

**UPDATED: 01/06/2014** 

<u>DISCLAIMER</u>: The defendant named in each of the cases listed, is presumed innocent until and unless proven guilty; the information provided is intended for community information purposes only and should not be used to threaten, intimidate, or harass. Misuse of this information may result in criminal prosecution.

## **Supreme Court Public Access**

The Public/media representatives may obtain general information about non-confidential statewide court cases by accessing the Supreme Court's Public Access to Court Information website at the following link:

http://apps.supremecourt.az.gov/publicaccess/caselookup.aspx

By using this website, the public/media representatives who are interested in finding out what cases have been filed for a specific individual can enter that person's name to find all cases in the system that are associated with that person. A specific case can also be viewed by entering the case number.

Once the case is selected, general information will appear, and includes the pleadings filed, hearings held, and status of the case. For more information about the case than the website displays, you may contact the office of the Clerk of Court.

### **Gila County Court Public Access**

If an agency of the media is interested in following the progress of a particular Gila County case or a public interest case, the media representative may identify that case to the office of the Court Administrator. Information about the case may still be obtained from the Public Access to Court Information website, as the direct link will save the media time when researching the case. This Court's website can be accessed by clicking on the following link:

http://www.gilacountyaz.gov/government/courts/index.php

### **Superior Court Calendar Access**

The Superior Court calendar is also available via the Internet at the following link:

http://72.24.204.138:8080/gila public/ev srch.action

Media representatives may look for information on a court calendar by selecting a calendar and the dates of interest. Information about the cases, times, and types of hearings set on those dates will be displayed.

The Gila County Superior Court Public Interest List is also available via the Internet at the following link:

http://www.gilacountvaz.gov/government/courts/index.php

For general questions regarding cases on the Public Interest Case List or any other case, please contact: Coleen Stevens, Public Information Officer, at: <a href="mailto:cstevens@courts.az.gov">cstevens@courts.az.gov</a>, or (928) 402-8674.

In the event that you want to view court records or obtain a copy of court documents, a request is first to be made to the Clerk of Court's office.

**Please Note**: Prior to releasing any documents, the Clerk's office will review files before releasing them to the public/media, in case the document contains confidential material. If the document contains such confidential information, the Clerk's office will redact this information before releasing it. If the document is confidential, the public/media are not permitted to view it, such as with a Pre-sentence report. **There is also a 50 cent charge per page.** 

### NOTE:

#### **Diversion/Deferred Program**

It is the policy of the Gila County Attorney's Office to offer some first time felony offenders an opportunity to avoid having a felony conviction on their permanent criminal history if they successfully participate and complete the Diversion or Deferred Prosecution Program.

For a full explanation of this program, please visit the County Attorney's web page at the following link:

http://www.gilacountyaz.gov/government/county\_attorney/diversion\_deferred\_program.php

# **SECTION HEADINGS**

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•	CASES SET FOR TRIAL
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•	DIVERSION CASES
•	RECENT DISPOSITIONS

# PENDING CASES - CIVIL CASES -

Plaintiff:	DEBORAH NICHOLS	Defendant:	MICHAEL LOWE, PEAK MEDICAL CARE, PLLC
Case #:	CV2013-032		
Attorney for Plaintiff:	Neal H. Bookspan Laura A. Rogal Jaburg & Wilk, P.C.	Attorney for Defendant:	Pro Per
Judge:	Peter Cahill	Superior Court:	Division I
Case Status:	NO HEARING DATE AT THIS TIME		
Case Notes:	Complainant alleges that the Defendant's actions breached his fiduciary and contractual duties and terms. Defendant is also said to have deliberately obstructed Plaintiff is seeking judgment be entered for compensatory damages and costs.		
Complaint:	Ct. 1 Breach of Fiduciary Duty – Dr. Michael Lowe Ct. 2 Intentional Interference With business Expectancy – Dr. Michael Lowe Ct. 3 Breach of Contract Ct. 4 Statutory Accounting Ct. 5 Issuance of a Temporary Restraining Order; Preliminary Injunction; Permanent Injunction		

## **PENDING CASES**

## - CRIMINAL CASES -

Defendant:	Michael Alan VODEN	Case #:	CR2013-569
Prosecutor:	Gila County Attorney's Office Shawn Fuller	Defense:	Michael Bernays
Judge:	Robert Duber, II	Superior Court:	Division II
Case Status:	March 3, 2014	Case Management Confere	nce in Globe
Case Notes:	The Defendant is accused of causing the death of Randall Burnett, by use of a handgun, without premeditation, but knowing that his conduct would cause death or serious physical injury.  12/12/13 – Defendant's Bond amount was modified from \$1m to \$200,000, with other release conditions including house arrest, remaining within his fenced property which is to be padlocked, and to wear an electronic monitoring device.		
Indictment:	Ct. 1 - Second Degree Murder		

# CASES SET FOR TRIAL - CIVIL CASES -

Plaintiff:	Dorothea HAWK	Defendant:	Select Specialty Hospital & Select Medical Corp.
Case #:	CV2009-346		
Attorney for Plaintiff:	Lloyd & Robinson	Attorney for Defendant:	Stephen Bullington
Judge:	Peter Cahill	Superior Court:	Division I
Case Status:	January 14, 2014	Jury Trial	in GLOBE
Case Notes:	The Defendant is accused of negligence in the care of Ken Hawk, which it is alleged, ultimately caused the death of Mr. Hawk. The Plaintiff is suing for damages.		
Complaint:	Ct. 1 - Wrongful Death		

# CASES SET FOR TRIAL - CRIMINAL CASES -

Defendant:	Brandon Lee LEWIS	Case #:	CR2012-336
Prosecutor:	Gila County Attorney's Office	Defense:	Michael Harper Chuck Walker
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Status:	May 6, 2014, @ 9:30	JURY TRIAL	in GLOBE
Case Notes:	Defendant was charged with a manner to prevent his arrest, as w		ulting Peace Officers, acting in a police vehicle and police uniform.
	ORDER VACATING JUDGMENT Re: Convictions Entered: August LINK- FINALVacatingJudgmentC	8, 2013	
Indictment:	Ct. 1 - Aggravated Assault on Pea Ct. 2 - Aggravated Assault on Pea Ct. 3 - Aggravated Assault on Pea Ct. 4 - Resisting Arrest Ct. 5 - Criminal Damage Ct. 6 - Criminal Damage	ace Officer	

# **CASES SET FOR SENTENCING**

Defendant:	Brian Bradley BENDER	Case #:	CR2012-530
Prosecutor:	Gila County Attorney	Defense:	Chad Shell
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	Defendant is charged with unlawfully controlling property, with a value of \$4,000 to \$25,000. Allegations also include the Defendant falsely claiming to be an organization representative with the intention of defrauding, as well as claiming to be licensed to submit a business proposal/bid.		
Indictment:	Ct. 1 - Theft Ct. 2 - Criminal Impersonation Ct. 3 - Contracting Without a License		Class 3 Felony Class 6 Felony Class 1 Misdemeanor
DISPOSITION:	JURY TRIAL – commenced Octo	ber 22, 2013	
VERDICT:	Ct. 2 - Criminal Impersonation Ct. 2 - Contracting Without a I		ND DEFENDANT – NOT GUILTY ND DEFENDANT – GUILTY
SENTENCING:	February 3, 2014 @ 1:30	SENTENCING	in PAYSON

# **CASES SET FOR SENTENCING**

Defendant:	Nathan James O'DONNELL	Case #:	CR2013-239
Prosecutor:	Gila County Attorney	Defense:	Jonathan Warshaw
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	_	ant for sale. It is	transportation of heroin, in such an also alleged that the Defendant was in na and driving while suspended.
Indictment:	Ct. 1 - Possession of Narcotic Drug for Sale>threshold Class 2 Felony Ct. 2 - Transportation of Narcotic Drug for Sale>threshold Class 2 Felony Ct. 3 - Possession of a Narcotic Drug Class 4 Felony Ct. 4 - Use of a Narcotic Drug Class 4 Felony Ct. 5 - Use of Marijuana Class 6 Felony Ct. 6 - Possession of Drug Paraphernalia Class 6 Felony Ct. 7 - Aggravated DUI-Drugs/License suspended Class 4 Felony		
DISPOSITION:	JURY TRIAL – commenced Dece	mber 18, 2013	
VERDICT:	Ct. 1 - Possession of Narcotic Drug  Ct. 2 - Possession of Narcotic Drug  JURY FOUND DEFENDANT – GUILTY  Ct. 3 - Possession of Narcotic Drug  JURY FOUND DEFENDANT – GUILTY  Ct. 4 - Use of a Narcotic Drug  JURY FOUND DEFENDANT – NOT GUILTY  Ct. 5 - Possession of Drug Paraphernalia  JURY FOUND DEFENDANT – GUILTY		
SENTENCING:	January 21, 2014 @ 10:00	SENTENCING	in PAYSON

# **CASES SET FOR SENTENCING**

Defendant:	Martin Douglas SLOVER	Case #:	CR2012-309
Prosecutor:	Gila County Attorney	Defense:	Ron DeBrigida
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Status:	January 13, 2014, @ 1:30	Sentencing	in PAYSON
Case Notes:	It is alleged that the Defendant, recklessly engaged in conduct attempting to cause the death of Teona Koutz, Defendant's girlfriend. Defendant is also charged with kidnapping and aggravated assault, resulting in the victim sustaining a broken hand.		
Indictment:	Ct. 1 - Attempted Second Degr Ct. 2 - Kidnapping / Domestic V Ct. 3 - Aggravated Assault /Dom Ct. 4 - Aggravated Assault/Dom Ct. 5 - Aggravated Assault/Dom	/iolence nestic Violence estic Violence	

Defendant:	Nicholas VINEYARD	Case #:	CR2013-220
Prosecutor:	Gila County Attorney's Office	Defense:	Ronald DeBrigida
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	The Defendant is accused of intentionally or knowingly endangering or causin under the age of 15.		ering or causing injury to a minor
Indictment:	<ul> <li>Ct. 1 - Child Abuse – Domestic Violence</li> <li>Ct. 2 - Aggravated Assault – Adult Upon Child Under 15 – Domestic Violence</li> <li>Ct. 3 - Aggravated Assault – Adult Upon Child Under 15 – Domestic Violence</li> </ul>		
DISPOSITION:	01/03/2014 CASE DISMISSED WITHOUT PRE	JUDICE – Motion Filed by	County Attorney

Defendant:	Shawna VINEYARD	Case #:	CR2013-221
Prosecutor:	Gila County Attorney's Office	Defense:	Michael Bernays
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	The Defendant is accused of intentunder the age of 15.	tionally or knowingly endang	gering or causing injury to a minor
Indictment:	<ul> <li>Ct. 1 - Child Abuse – Domestic Violence</li> <li>Ct. 2 - Aggravated Assault – Adult Upon Child Under 15 – Domestic Violence</li> <li>Ct. 3 - Aggravated Assault – Adult Upon Child Under 15 – Domestic Violence</li> <li>Ct. 4 - Aggravated Assault – Adult Upon Child Under 15 – Domestic Violence</li> </ul>		
DISPOSITION:	01/03/2014 CASE DISMISSED WITHOUT PRE	EJUDICE – Motion Filed by	County Attorney

Defendant:	Douglas Ralph HENNEMAN, II	Case #:	CR2012-280 / CR2012-282 CR2012-373 / CR2012-374 CR2012-375 / CR2010-479
Prosecutor:	Gila County Attorney	Defense:	Ron DeBrigida
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	Defendant is charged in several use to armed robbery.	cases with multiple cou	nts of offenses ranging from drug
Indictment: CR2012-280	Ct. 1 - Conspiracy to Commit A Ct. 2 - Armed Robbery Ct. 3 - Theft Ct. 4 - Misconduct Involving We		Class 2 Felony Class 2 Felony Class 1 Misdemeanor Class 4 Felony
Indictment: CR2012-282	Ct. 1 - Conspiracy to Commit Theft of Means of Transportation Ct. 2 - Conspiracy to Commit Theft of Means of Transportation Ct. 3 - Burglary in the Third Degree Ct. 4 - Burglary in the Third Degree Ct. 5 - Criminal Damage  Class 3 Felony Class 4 Felony Class 4 Felony Class 1 Misdemeanor		
Indictment: CR2012-373	Ct. 1 - Attempted Trafficking St	colen Property in the Firs	t Degree Class 3 Felony
Indictment: CR2012-374	Ct. 1 - Burglary in the Third Deg Ct. 2 - Theft of a Credit Card Ct. 3 - Fraudulent Use of Credit Ct. 4 - Fraudulent Use of Credit	Card of Less than \$250	Class 4 Felony Class 5 Felony Class 1 Misdemeanor Class 1 Misdemeanor
Indictment: CR2012-375 Indictment:	Ct. 1 - Possession of Dangerous Drugs Ct. 2 - Use of Dangerous Drugs Ct. 3 - Possession of Drug Paraphernalia Ct. 4 - Misconduct Involving Weapons/Prohibited Possessor Ct. 5 - False Reporting to Law Enforcement Officer  Class 4 Felony Class 6 Felony Class 4 Felony Class 4 Felony Class 4 Felony Class 4 Felony Class 5 Felony Class 1 Misdemeand		Class 4 Felony Class 6 Felony
CR2010-479  DISPOSITION:	PLEA		
SENTENCED:	December 23, 2013		

CONVICTIONS:	DOUGLAS RALPH HENNEMAN, II – CONT/D.
CR2012-280	<ul> <li>CT. 2 - ARMED ROBBERY</li> <li>Sentenced to the Department of Corrections for the aggravated maximum term of 12 years and 6 months - with credit for 568 days for time served</li> <li>Economic Restitution – victims</li> <li>Fines, Fees, Surcharges</li> </ul>
CR2012-282	<ul> <li>CT. 2 - CONSPIRACY TO COMMIT THEFT OF MEANS TRANSPORTATION CLASS 3 FELONY</li> <li>Sentenced to the Department of Corrections for the aggravated term of 4 years – to run concurrent with other sentences with credit for 568 days for time served</li> <li>Economic Restitution – victims – to be confirmed</li> <li>Fines, Fees, Surcharges</li> </ul>
CR2012-373	<ul> <li>CT. 1 - ATTEMPTED TRAFFICKING STOLEN PROPERTY IN THE 1<sup>ST</sup> DEGREE CLASS 3 FELONY</li> <li>Sentenced to the Department of Corrections for the aggravated term of 4 years – to run consecutively with other sentences with credit for 568 days for time served</li> <li>Economic Restitution – victims</li> <li>Fines, Fees, Surcharges</li> </ul>
CR2012-374	• Sentenced to the Department of Corrections for the aggravated term of 3 years – to run concurrent with other sentences with credit for 568 days for time served
CR2012-375	<ul> <li>CT. 4 - MISCONDUCT INVOLVING WEAPONS/PROHIBITED POSSESSOR CLASS 4 FELONY</li> <li>Sentenced to the Department of Corrections for the aggravated term of 3 years – to run concurrent with other sentences with credit for 568 days for time served</li> <li>Economic Restitution – victims</li> <li>Fines, Fees, Surcharges</li> </ul>
CR2010-479	<ul> <li>REVOCATION OF PROBATION</li> <li>Sentenced to the Department of Corrections for the aggravated term of 1 year and 6 months— to run consecutively with other sentences with credit for 593 days for time served</li> </ul>

Defendant:	Matthew Blaine SHANNON	Case #:	CR2012-270	
Prosecutor:	Gila County Attorney	Defense:	Michael Freeman	
Judge:	Peter J. Cahill	Superior Court:	Division I	
Case Notes:	It is alleged that in December 2011, the Defendant was within a school zone area, in possession of heroin with the intention of selling the drug, while also being in possession of items of drug paraphernalia and a firearm. The Defendant is also charged with taking heroin to a correctional facility.			
Indictment:	<ul> <li>Ct. 1 - Possession of a Narcotic Drug for Sale &gt;Threshold in a School Zone</li> <li>Ct. 2 - Promoting Prison Contraband</li> <li>Ct. 3 - Misconduct Involving Weapons committed w/Drug Offense in a School Zone</li> <li>Ct. 4 - Possession of a Narcotic Drug in a School Zone</li> <li>Ct. 5 - Possession of Drug Paraphernalia in a Drug Free School Zone</li> </ul>			
DISPOSITION:	PLEA			
SENTENCED:	December 13, 2013			
CONVICTION:	<ul> <li>Sentenced to the Department credit for 411 days for time.</li> <li>CT. 2 - PROMOTING PRISON CO</li> <li>Sentenced to the Department credit for 411 days for time.</li> <li>CT. 3 - MISCONDUCT INVOLV/W</li> <li>Sentenced to the Department credit for 411 days for time.</li> <li>CT. 4 - POSSESSION OF A NARCO</li> <li>Sentenced to the Department credit for 411 days for time.</li> <li>CT. 5 - POSSESSION OF DRUG P</li></ul>	<ul> <li>credit for 411 days for time served</li> <li>T. 2 - PROMOTING PRISON CONTRABAND</li> <li>Sentenced to the Department of Corrections for the mitigated term of 4 years - with credit for 411 days for time served - To run concurrent with Ct. 1</li> <li>T. 3 - MISCONDUCT INVOLV/WEAPONS COMMITTED W/DRUG OFFENSE-SCHOOL ZONE</li> <li>Sentenced to the Department of Corrections for the mitigated term of 2.5 years - with credit for 411 days for time served - To run concurrent with Ct. 1</li> <li>T. 4 - POSSESSION OF A NARCOTIC DRUG IN A SCHOOL ZONE</li> <li>Sentenced to the Department of Corrections for the mitigated term of 2 years - with credit for 411 days for time served - To run concurrent with Ct. 1</li> <li>T. 5 - POSSESSION OF DRUG PARAPHERNALIA IN A DRUG FREE SCHOOL ZONE3</li> <li>Sentenced to the Department of Corrections for the presumptive term of 1 years - with credit for 411 days for time served - To run concurrent with Ct. 1</li> </ul>		

Defendant:	Gasoa BALAS a.k.a. Joshua BALAS	Case #:	CR2012-382
Prosecutor:	Gila County Attorney	Defense:	Michael Bernays
Judge:	Peter J. Cahill	Superior Court:	Division I
Case Notes:	Defendant is charged with causing the death of a minor. Other charges include assaulting a law enforcement officer, attempting to flee from a pursuing law enforcement vehicle, while driving without a license, and under the influence of alcohol and drugs.		
Indictment:	Ct. 3 - Aggravated Assault on P Ct. 4 - Unlawful Flight from Pur Ct. 5 - Aggravated DUI Ct. 6 - Aggravated DUI w/Licen	Child Abuse / Domestic Violence Aggravated Assault on Police Officer Unlawful Flight from Pursuing Law Enforcement	
DISPOSITION	PLEA		
SENTENCING:	December 9, 2013, 1:30pm	SENTENCING	in PAYSON
CONVICTION:	<ul> <li>Sentenced to the Depart with credit for 277 days.</li> <li>Term of incarceration to</li> <li>CT 3: - AGGRAVATED ASSAULT</li> <li>Sentenced to the Depart with credit for 277 days.</li> <li>Term of incarceration to</li> <li>CT 5: - AGGRAVATED DUI-IMPA</li> <li>Sentenced to the Depart with credit for 277 days.</li> <li>Term of incarceration to</li> </ul>	<ul> <li>Sentenced to the Department of Corrections for the aggravated term of 20 years – with credit for 277 days for time served</li> <li>Term of incarceration to run consecutively with sentence imposed in CR2013-228</li> <li>AGGRAVATED ASSAULT (VICTIM Officer Deaton) CLASS 2 FELONY</li> <li>Sentenced to the Department of Corrections for the aggravated term of 20 years – with credit for 277 days for time served</li> <li>Term of incarceration to run consecutively with sentence imposed in CR2013-228</li> <li>AGGRAVATED DUI-IMPAIRED/LICENSE SUSPENDED CLASS 4 FELONY</li> <li>Sentenced to the Department of Corrections for the presumptive term of 5 years – with credit for 277 days for time served</li> </ul>	